



**CITY OF SUNNYVALE  
REPORT  
Planning Commission**

**December 15, 2003**

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**SUBJECT:** **2003-0850 – Indian Community Center** [Applicant] **Peery Arillaga** [Owner]: Application for a 57,499 square foot site located at **285 North Wolfe Road** in an M-S (Industrial & Service) Zoning District (APN: 205-32-008):

Motion Use Permit to allow the interim use of a neighborhood Indian community center for three years within a portion of an existing industrial building.

**REPORT IN BRIEF**

**Existing Site Conditions** Vacant tenant space in an industrial building.

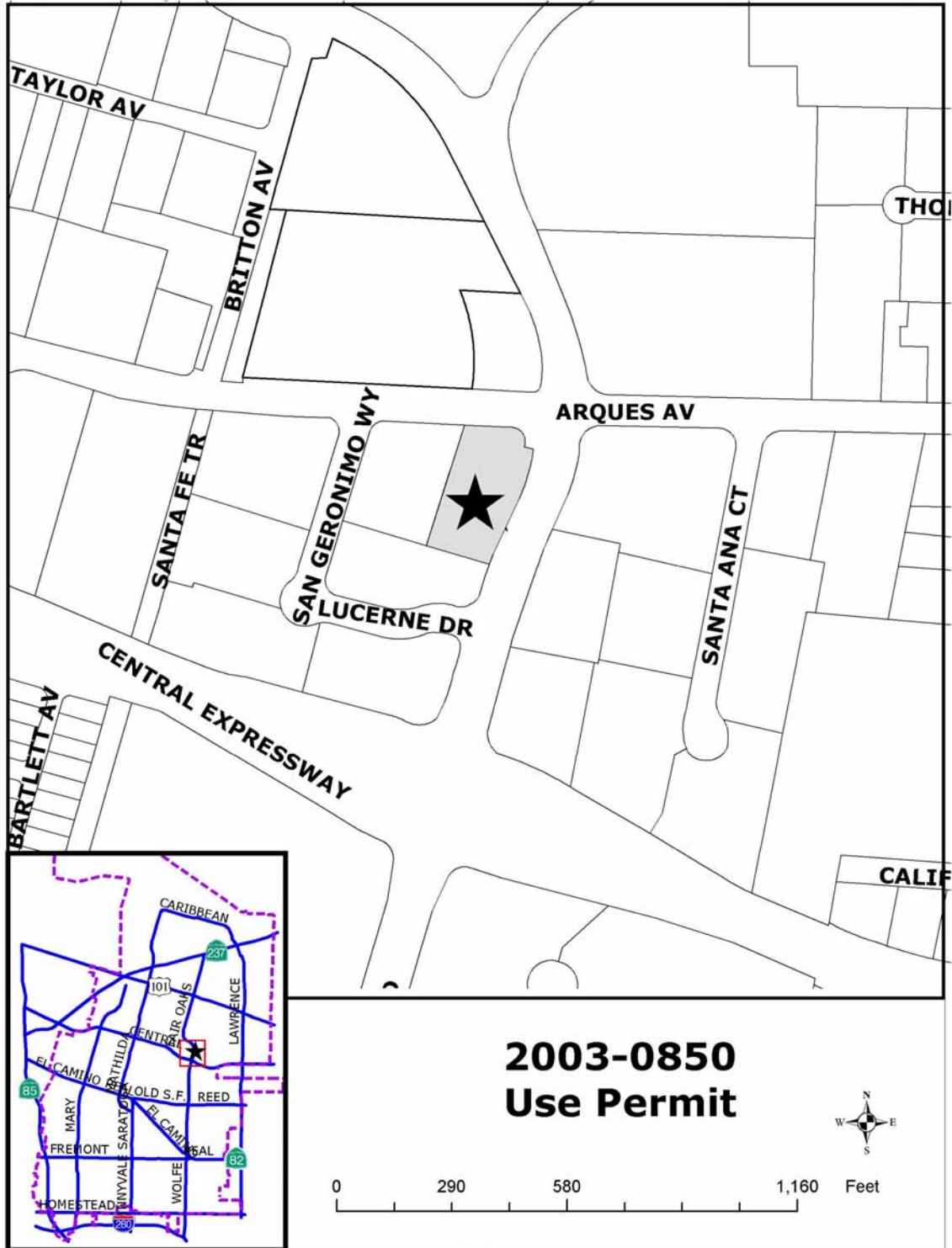
**Surrounding Land Uses**

North	Across East Arques Avenue
South	Industrial
East	Industrial Across North Wolfe
West	Industrial

**Issues** Parking  
Use Compatibility

**Environmental Status** A Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.

**Staff Recommendation** Approve with Conditions



**PROJECT DATA TABLE**

	<b><u>EXISTING</u></b>	<b><u>PROPOSED</u></b>	<b><u>REQUIRED/ PERMITTED</u></b>
<b>General Plan</b>	IND	Same	Same
<b>Zoning District</b>	MS	Same	Same
<b>Lot Size (s.f.)</b>	57,499 s.f.	Same	22,500 s.f. min.
<b>Gross Floor Area (s.f.)</b>	20,000 s.f.	Same	25,874 s.f. max.
<b>Tenant Space (s.f.)</b>	5,000 s.f.	Same	N/A
<b>Lot Coverage (%)</b>	35%	Same	45% max.
<b>No. of Buildings On-Site</b>	1	Same	By Use Permit
<b>Building Height (ft.)</b>	18 ft.	Same	75 ft. max.
<b>No. of Stories</b>	1	Same	8 max.
<b>Setbacks (facing prop.)</b>			
• <b>Front</b>	25 ft.	Same	25 ft. min.
• <b>Left Side</b>	22 ft.	Same	No min. 20 foot total side setback
• <b>Right Side</b>	45 ft.	Same	No min. 20 foot total side setback
• <b>Rear</b>	113 ft.	Same	None
<b>Landscaping (sq. ft.)</b>			
• <b>Total Landscaping</b>	11,550 s.f./20%	Same	11,550 s.f./ 20% min.
• <b>Frontage Width (ft.)</b>	22 ft. min.	Same	15 ft. min.
<b>Parking</b>			
• <b>Total No. of Spaces</b>	62	114 spaces with shared parking agreement	114 min.
• <b>No. of Standards</b>	62	114 spaces with shared parking agreement	114 min.
• <b>No. of Accessible</b>	0	3	3 min.

## **ANALYSIS**

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### **Background**

**Previous Actions on the Site:** Records indicate no past planning projects for this property.

### **Description of Proposed Project**

The applicant is proposing to lease 5,000 square feet in an existing 20,000 square foot two-tenant industrial building to establish the use of an Indian Community Center for the duration of three years. The use would have the following associated activities:

- Senior services such as yoga, meditation and stress relieving classes. Immigration guidance, arts and crafts, guidance and referral for medical aid, computer classes and catered senior meals.
- Seminars and workshops for youth and kids in the areas of languages, music, dance, yoga, aerobics, art and culture.

The proposal includes approximately 1,300 square feet for the multi-purpose room with the remaining space dedicated to offices, meeting rooms, lounge and storage (See Attachment 4, Site and Floor Plans).

### **Environmental Review**

A Negative Declaration has been prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project would not create any significant environmental impacts (see Attachment 3, Initial Study).

However, as part of the initial study it has been noted that the location of the proposed church is within 200 - 1000 ft. of sites zoned to allow research and development facilities which might want to implement uses which utilize hazardous materials in considerable quantities. Several years ago this area housed a number of research and development facilities with high levels of hazardous materials. If the Use Permit for the community center is approved in the proposed location, concerns regarding exposure to hazardous materials may limit the type of industrial uses that are interested in locating in the vicinity in the future and the expansion of existing industrial uses in the area could be hampered.

**Use Permit**

**Use:** The applicant, the Indian Community Center (ICC) proposes a Sunnyvale neighborhood community center to complement a parent Indian Community Center located the City of Milpitas. The proposed Center's primary goal is to promote Indian culture and values by providing social, cultural, recreational and community programs, thereby uniting the Indian community and raising awareness about Indian culture in the local community. Senior and youth populations would be the primary users of the Center (See Attachment 5, Letter from Applicant).

The proposed center would occupy a 5,000 square foot tenant space located in an existing industrial building. The tenant space includes a 1,300 square foot multi-purpose room and several meeting rooms and offices for staff. The site has two lobbies with areas for receptionists. The lounge area will have computer stations and include informal seating for conversations and reading.

The applicant estimates a maximum of 40 users at one time during the weekdays and a maximum of 60 users at one time on the weekends. There would be a maximum of two staff people on duty at all times.

The proposed Center's Office Hours are the following:

<b>Monday through Friday</b>		
10 am to 2pm	Senior Programs	40 users/2 staff max.
3pm to 5pm	Closed	25 users/2 staff max.
5pm to 9 pm	Yoga & Aerobics Classes Youth Programs	25 users/2 staff max.
<b>Saturday</b>		
9am to 9pm	Variety of Programs And Meeting	60 users/2 staff max.
<b>Sunday</b>		
9am to 6pm	Variety of Programs And Meeting	60 users/2 staff max.

Attachment 6 provides a detailed matrix of the daily schedule of activities and total number of users for the proposed Center.

***Adjacent Tenant and Surrounding Uses***

A computer software business occupies the adjacent 15,000 square feet tenant space of the industrial building. There are 43 employees and business hours operate Monday through Friday 8:00 a.m. to 5:00 p.m.. The surrounding uses

to the north include a fire station and apartments across Arques Avenue. Industrial uses are located to the east, south and west of the site.

As earlier noted, there may be risks associated with exposure to hazardous materials which could limit the type of future industrial use's interested in locating or expanding in the area. Staff is recommending Condition of Approval #9 requiring that uses on-site, during the three-year use permit for the Indian Community Center, shall not use more hazardous materials than what would require a Hazardous Materials permit through the Department of Public Safety.

**Site Layout:** The site is located at the corner of Arques Avenue and North Wolfe Avenue. The site has two driveways located off of Wolfe Avenue and one driveway off of Arques Avenue. The building is located to the northeast corner of the property with parking located behind. An existing public sidewalk is provided on Wolfe Road.

**Architecture:** There are no exterior architectural changes proposed for this project.

**Landscaping:** The site meets the Municipal Code's landscaping requirements. Current landscaping on site consists of a landscaped lawn area located along the buildings street frontage and parking lot landscaping areas throughout the site. The 11,500 square feet of existing landscaping equals approximately 20% of the total site, where 20% is required by City code.

**Parking/Circulation:** The site has a total of 62 useable on-site parking spaces. The municipal code requires places of assembly, such as the proposed multiple purpose room, 1 parking space per 21 square feet for open area plus 1 space per employee. The following table provides an analysis of the existing and currently proposed uses of the site and the number of parking spaces that are required.

<b>285 North Wolfe Avenue Site Parking Analysis</b>			
<b>Type of Use</b>	<b>Square Footage</b>	<b>Parking Ratio</b>	<b>Number of Parking Spaces Required</b>
<b>Computer Software Office</b>	15,000 s.f.	1 space/ 500 s.f. minimum (R&D/Industrial /Office)	<b>30 spaces</b>
<b>Proposed Community Center</b>	5,000 s.f.	2 employees @ 1 space/ 1 emp.  1,287 s.f. @ 1 space/ 21 s.f. (Recreational Assembly Areas)  3,713 s.f. @ 1 space/ 180 s.f. (Other General Uses)	2 spaces + 61 spaces + 21 spaces=  <b>84 spaces</b>
		<b>Total Parking Spaces Required</b>	<b>114</b>
Currently Provided On-Site			62
<b>Current Parking Deficiency</b>			<b>-52</b>

<b>PARKING OPPORTUNITIES</b>			
<b>Currently Provided On-Site</b>			<b>62</b>
Opportunity for Additional On-Site Parking		Restripe parking lot	+5
Provide on Adjacent Lots with Parking Agreement			+47
		<b>Total Parking Spaces Provided</b>	<b>114</b>

### ***On-Site Parking Opportunities***

The site originally had 70 on-site parking spaces but over time 8 of the spaces have been converted to accommodate a trash enclosure, a picnic bench area, a no parking area, and access to the adjacent site. Staff recommends Condition of Approval #11 requiring that the picnic bench area, the no parking area and

access to the adjacent site be restriped and converted back 5 parking spaces, including 3 accessible spaces. The solid waste dumpster currently sits without an enclosure on top of three parking spaces in the parking lot. In order to bring the solid waste enclosure up to current Municipal Code requirements staff recommends Condition of Approval #8 requiring that all recycling and solid waste shall be confined to an approved trash enclosures. Submit a detailed recycling and solid waste disposal plan to the Director of Community Development for review. With the addition of 5 parking spaces, the site is deficient by 47 spaces.

***Off-Site Parking Opportunities- Off-Peak Hours***

The project is located within an industrial area in which most businesses operate during standard business hours, Monday through Friday 8 a.m. to 5 p.m. The proposed Community Center would operate during both peak and off-peak hours. During the off peak hours after 5:00 p.m. Monday through Friday and on Saturday and Sundays there is an opportunity to enter into an agreement with an off-site adjacent business to use a total of 47 parking spaces for the Community Centers use.

The applicant has contacted three adjacent businesses and each business has expressed an interest in sharing parking spaces during off peak hours through a formal parking agreement.

Staff is recommending Condition of Approval #6 to record a parking agreement for a total of 47 off-site parking spaces for the term of the Use Permit in lots adjacent to the subject property.

***Alternative Transportation for Seniors- Peak Hours***

The applicant has provided information indicating that a large percentage of seniors using the community center would be utilizing public transportation. The two public bus routes, which used to be located along Arques Avenue, have been eliminated due to the current budget crisis. The closest bus route would be located along North Fair Oaks, which is approximately .32 miles, which is over the standard ¼ mile the city considers as a walkable distance.

The following 3 limited-stop commuter buses are available during the weekday commute hours. These are more regional routes and do not necessarily serve the immediate neighborhood but do stop at Wolfe and Arques.

- Limited Stop Bus 304 –6:30 to 8:45 a.m. and 3:30 to 5:46 p.m..
- Limited Stop Bus 305-5:47 to 7:47 a.m. and 3:17 to 5:22 p.m.
- Limited Stop Bus 140- 6:50 to 8:40 a.m. and 3:45 to 6:12 p.m.



Due to the uncertainty of public transit, staff strongly recommends that Community Center users carpool to the site and create a rideshare program. Staff recommends Condition of Approval #12 to submit a rideshare/carpool plan to reduce 10 peak hour vehicles to the Director of Community Development for approval.

**Transportation Impact Fee**

The proposed Community Center will generate at most 2 new peak hour trips in the a.m. and 4 new peak hour trips in the p.m. compared to the existing industrial use peak hour trips. These additional peak hour trips would be required to pay the Transportation Mitigation Fee prior to occupancy of the building, however no traffic impact fee will be required as rideshare/carpool Condition of Approval #12 will off set the new peak hour trips.

**Compliance with Development Standards**

The proposed project complies with current development standards with the exception of the required parking and a solid waste enclosure, as discussed. No further improvements are required at this time.

**Expected Impact on the Surroundings**

The proposed use will have little impact on existing surrounding industrial uses; however, future industrial uses surrounding the project may find it difficult to expand their operations, either in terms of hours or floor space, due to environmental concerns with the presence of children and elderly at the community center. Although this is currently not an issue, staff is presenting this as a consideration for future development in the area. The 3-year term of the Use Permit acknowledges the use as interim during a down economy. Staff does not anticipate any issues with the 3-year Use Permit.

**Staff Comments**

This Use Permit application for the Community Center would be for a total of three years. Due to the limited time frame staff finds the proposed plan to accommodate parking off site through parking agreements to be adequate.

**Findings, General Plan Goals and Conditions of Approval**

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Staff was able to make the required Findings based on the justifications for the Use Permit.

- Findings and General Plan Goals are located in Attachment 1.

- Conditions of Approval are located in Attachment 2.

**Fiscal Impact**

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No fiscal impacts other than normal fees and taxes are expected.

**Public Contact**

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<b>Notice of Negative Declaration and Public Hearing</b>	<b>Staff Report</b>	<b>Agenda</b>
<ul style="list-style-type: none"><li>• Published in the <i>Sun</i> newspaper</li><li>• Posted on the site</li><li>• Mailed to the property owners and tenants within 300 ft. of the project site</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City of Sunnyvale's Website</li><li>• Provided at the Reference Section of the City of Sunnyvale's Public Library</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City's official notice bulletin board</li><li>• City of Sunnyvale's Website</li><li>• Recorded for SunDial</li></ul>

Staff has not received any input from the public regarding this project.

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**Alternatives**

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1. Adopt the Negative Declaration and approve the Use Permit with attached conditions.
2. Adopt the Negative Declaration and approve the Use Permit with modified conditions.
3. Adopt the Negative Declaration and deny the Use Permit.
4. Do not adopt the Negative Declaration and direct staff as to where additional environmental analysis is required.

**Recommendation**

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Alternative 1.

Prepared by:

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Erin Megan Walters  
Project Planner

Reviewed by:

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Gerri Caruso  
Principal Planner

Reviewed by:

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Trudi Ryan  
Planning Officer

Attachments:

1. Findings
2. Conditions of Approval
3. Negative Declaration & Initial Study
4. Site and Architectural Plans
5. Letter from the Applicant
6. Daily Schedule of Activities Matrix
7. Preliminary Parking Consent Letters
8. Draft Parking Agreement

## **Findings - Use Permit**

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1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

### *Land Use and Transportation Element*

**Policy N1.14 Support the provision of a full spectrum of public and quasi-public services (e.g., parks, day care, group living, recreation centers, religious institutions) that are appropriately located in residential, commercial, and industrial neighborhoods and ensure that they have beneficial effects on the surrounding area.**

The applicant is proposing the location of a community center in an industrial zone. The proposed use may limit possibilities for new industrial uses to move into the area; however, as conditioned and due to the limited three-year duration of this permit, the City will have an opportunity to review the use again if the applicants choose to request to stay longer.

2. The proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District.

The proposed community center uses will not be materially detrimental to public welfare or injurious to the property in the immediate vicinity under current use conditions that the use may be in operation for a total of three years and parking would be available through joint use agreements with neighboring properties.

**Conditions of Approval – Use Permit**

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In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions, the Permittee expressly accepts and agrees to comply with the following Conditions of Approval for this Permit.

1. Obtain Building Permits prior to construction.
2. The conditions of approval shall be reproduced on the cover page of the plans submitted for a Building permit for this project.
3. The Use Permit shall expire if the use is discontinued for a period of one year or more.
4. Hours of operation shall be limited to the following hours:
  - Monday through Friday: 10:00 a.m. to 9:00 p.m.
  - Saturday: 9:00 a.m. to 9:00 p.m.
  - Sunday: 9:00 a.m. to 6:00 p.m.
5. The permit is for community center use only, for a total of three years, measured from the day of building occupancy or 6 months from the date of approval, whichever is sooner. The community center uses include yoga, meditation, stress relieving, computer classes, immigration guidance, arts and crafts, guidance and referral for medical aid, catered senior meals, seminars and workshops for youth regarding languages, music, dance, yoga, aerobics, art and culture; with a maximum of 60 users at one time. Any major site plan and architectural modifications or changes to the use shall be treated as an amendment to the original Use Permit and shall be subject to approval at a public hearing by the Planning Commission, except minor changes of the original approved through a Miscellaneous Plan Permit by the Director of Community Development.
6. Prior to issuance of an occupancy permit, a parking agreement for a total of 47 off-site parking spaces in lots adjacent to the subject property shall be submitted to the Director of Community Development for review and approval. Agreements shall be recorded with the County Recorder's Office.
7. Obtain a business license from the City of Sunnyvale Revenue Division prior to commencement of use.
8. Submit a detailed recycling and solid waste disposal plan with plans for a trash enclosure to the Director of Community Development for approval.
9. Uses on-site, during the three-year use permit for the Indian Community Center, shall not use more hazardous materials than what would require a Hazardous Materials permit through the Department of Public Safety.

10. All recycling and solid waste shall be confined to approved receptacles and enclosures.
11. The parking lot shall be restriped and converted back to 5 parking spaces, including 3 accessible spaces, removing the picnic bench area, the no parking area and striped access to the adjacent sites.
12. Submit a rideshare/carpool plan to reduce 10 peak vehicles trips to the Director of Community Development for approval.

PLANNING DIVISION

File Number: 2003-0850

CITY OF SUNNYVALE

No. 03-27

P.O. BOX 3707

SUNNYVALE, CALIFORNIA 94088-3707

## **NEGATIVE DECLARATION**

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This **Negative Declaration** has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #193-86.

### **PROJECT TITLE:**

Application for a Use Permit filed by the Indian Community Center.

### **PROJECT DESCRIPTION AND LOCATION (APN):**

**2003-0850 – Indian Community Center** [Applicant] **Richard T Peery Trustee** [Owner] – Application for a Use Permit on a 1.34 acre site to allow the interim use of a neighborhood Indian community center for three years within a portion of an existing industrial building. The property is located at **285 North Wolfe Road** in an M-S (Industrial & Service) Zoning District. (APN: 205-32-008)

### **FINDINGS:**

The Director of Community Development of the City of Sunnyvale, California, hereby determines that an environmental impact report is not required. There are sufficient environmental controls incorporated into the Zoning and Subdivision regulations to ensure no significant detrimental effect by any proposed use, in the case of a PD overlay or any application for a Use Permit.

The above determination is based upon the initial study conducted in this matter, information provided by the applicant in an "Application for Environmental Clearance" and is based on the fact that the proposed use is temporary and specifically permitted by a Use Permit. No endangered species are known to depend on this site for habitat.

This **Negative Declaration** may be protested in writing by any person prior to **5:00 p.m.** on **Tuesday, December 9, 2003**. Such protest shall be filed in the Department of Community

Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a Negative Declaration will be considered by the adopting authority, whose action on the protest may be appealed.

Circulated On November 19, 2003

Signed: \_\_\_\_\_

Gerri Caruso, Principal Planner

Adopted On \_\_\_\_\_

Verified: \_\_\_\_\_

Gerri Caruso, Principal Planner



**Project #: 2003-0850 UP**

**Project Address: 285 N. Wolfe Rd, Sunnyvale**

**Applicant: Indian Community Center**

**INITIAL STUDY ENVIRONMENTAL CHECKLIST**

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**INITIAL STUDY**

**City of Sunnyvale**

**Department of Community Development**

***Planning Division***

**P.O.Box 3707**

**Sunnyvale, CA 94088-3707**

**Project #: 2003-0850 UP**

**Project Address: 285 North Wolfe Road,  
Sunnyvale**

**Applicant: Indian Community Center**

1. Project Title: Use Permit Application for a Community Center in the M-S zone.
2. Lead Agency Name and Address: City of Sunnyvale, Community Development Department, Planning Division
3. Contact Person and Phone Number: Erin Walters 408-730-7257
4. Project Location: 285 North Wolfe Road, Sunnyvale, CA
5. Project Sponsor's Name and Address: Pradeep Joshi, 3065 Democracy Way, Santa Clara, CA 95054
6. General Plan Designation: Industrial
7. Zoning: M-S, Industrial and Services

**Project #: 2003-0850 UP**

**Project Address: 285 N. Wolfe Rd, Sunnyvale**

**Applicant: Indian Community Center**

**INITIAL STUDY ENVIRONMENTAL CHECKLIST**

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**INITIAL STUDY**

**City of Sunnyvale**

**Department of Community Development**

**Planning Division**

**P.O.Box 3707**

**Sunnyvale, CA 94088-3707**

**Project #: 2003-0850 UP**

**Project Address: 285 North Wolfe Road,  
Sunnyvale**

**Applicant: Indian Community Center**

8. Description of the Project: The applicant proposes a interim use of a neighborhood Indian community center for three years within a portion of an existing building in an industrial zone. The existing building is 20,000 square feet and is comprised of two tenant spaces. The applicant is proposing to use one space of 5,000 square feet.

Operations at the community center will include senior services such as yoga, aerobics, meditation, and personal improvement classes. Lunch meals will be served to senior five days a week. Cultural programs and tutoring will be offered to children. There will be special events during the weekends that may involve the gathering of up to 60 persons, including children. The community center will be open Monday through Friday 10 a.m. to 9 p.m. Saturday and Sunday Hours are 9 a.m. to 9 p.m.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

North: Residential Townhomes and Fire Station

South: Industrial Offices

East: Industrial Offices

West: Industrial Offices

**Surrounding uses are predominantly industrial on North Wolfe Road and East Arques Avenue; adjacent properties to the north that front East Arques Avenue have a mix of residential and public uses. Wolfe Road is an arterial road in Sunnyvale that has a mix of industrial, commercial and high-density residential uses.**

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement)

None

**Project #: 2003-0850 UP**

**Project Address: 285 N. Wolfe Rd, Sunnyvale**

**Applicant: Indian Community Center**

**INITIAL STUDY ENVIRONMENTAL CHECKLIST**

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**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics             | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hydrology/Water Quality       | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Air Quality            | <input type="checkbox"/> Land Use/Planning             | <input type="checkbox"/> Transportation/Traffic             |
| <input type="checkbox"/> Biological Resources   | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Utilities/Service Systems          |
| <input type="checkbox"/> Cultural Resources     | <input type="checkbox"/> Noise                         | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Geology/Soils          | <input type="checkbox"/> Population/Housing            |   |

**DETERMINATION: (To be completed by the Lead Agency)**

**On the basis of this initial evaluation:**

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. **x**

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. ☐

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ☐

**Project #: 2003-0850 UP**

**Project Address: 285 N. Wolfe Rd, Sunnyvale**

**Applicant: Indian Community Center**

## INITIAL STUDY ENVIRONMENTAL CHECKLIST

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ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐

Signature

Date

Erin Walters, Associate Planner

City of Sunnyvale

Printed Name

For (Lead Agency)

## EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, “Earlier Analysis,” may be cross-referenced).

**Project #: 2003-0850 UP**

**Project Address: 285 N. Wolfe Rd, Sunnyvale**

**Applicant: Indian Community Center**

**INITIAL STUDY ENVIRONMENTAL CHECKLIST**

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- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

**Project #: 2003-0850 UP**

**Project Address: 285 N. Wolfe Rd, Sunnyvale**

**Applicant: Indian Community Center**

**INITIAL STUDY ENVIRONMENTAL CHECKLIST**

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**I. AESTHETICS.** Would the project:

- |   |                          |                          |                          |          |            |
|---|--------------------------|--------------------------|--------------------------|----------|------------|
| a. Have a substantial adverse effect on a scenic vista?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 94      |
| b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 94      |
| c. Substantially degrade the existing visual character or quality of the site and its surroundings?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 94, 101 |
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 94      |

**II. AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- |   |                          |                          |                          |          |                      |
|---|--------------------------|--------------------------|--------------------------|----------|----------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 3, 97, 100, 111,     |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 3, 97, 100, 111,     |
| c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 3, 96, 97, 100, 111, |
| d. Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 62, 63, 111, 112     |

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<b>Issues and Supporting Information</b>	Potentially Significant Impact	Less than Significant With Mitigation Incorporate d	Less Than Significant Impact	No Impact	Source
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e. Create objectionable odors affecting a substantial number of people?

☐☐☐

**X**

111, 112

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**III. BIOLOGICAL RESOURCES:**

- |   |                          |                          |                          |          |                      |
|---|--------------------------|--------------------------|--------------------------|----------|----------------------|
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 94, 111, 112, 109 |
| b. Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 94, 111, 112, 109 |
| c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 94, 111, 112, 109 |
| d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 94, 111, 112, 109 |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 41, 94, 111, 112     |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 41, 94, 111, 112  |

**IV. CULTURAL RESOURCES.** Would the project:



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- |   |                          |                          |                          |          |                         |
|---|--------------------------|--------------------------|--------------------------|----------|-------------------------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 10, 42, 60, 61, 94, 111 |
| b. Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 10, 42, 94,             |

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c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	10, 42, 94, 111
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 111, 112
<b>V. LAND USE AND PLANNING.</b> Would the project:					
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 11, 12, 21, 28
b. Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	31, 28, 111
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 41, 94, 111
<b>VI. MINERAL RESOURCES.</b> Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 94,
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 94
<b>VII. NOISE.</b> Would the project result in:					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 16, 26, 94, 111, 112
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 16, 26, 94, 111, 112

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- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ☐ **X** 2, 16, 26, 94, 111, 112
- d. A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ☐ **X** 2, 16, 26, 94, 111, 112

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**VIII. POPULATION AND HOUSING.** Would the project:

- a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? ☐ ☐ ☐ **X** 2, 11, 111, 112
- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ **X** 2, 11, 111, 112,
- c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ **X** 2, 11, 111, 112

**IX. PUBLIC SERVICES.** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- a) Parks? ☐ ☐ ☐ **X** 2, 18, 111, 112
- b) Fire protection? ☐ ☐ ☐ **X** UFC/U  
BC/SV  
MC

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- |                             |                          |                          |                          |          |                      |
|-----------------------------|--------------------------|--------------------------|--------------------------|----------|----------------------|
| c) Schools?                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 111, 112          |
| d) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 1, 2, 111, 112       |
| e) Police protection?       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 26, 65, 66, 103, 104 |

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**X. MANDATORY FINDINGS OF SIGNIFICANCE**

- |   |                          |                          |                          |          |                                     |
|---|--------------------------|--------------------------|--------------------------|----------|-------------------------------------|
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 10, 26, 42, 59, 60, 61, 111, 112 |
| b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 1, 2, 111, 112                      |
| c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 111, 112                            |

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**XI. GEOLOGY AND SOILS.** Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
- (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ☐ ☐ ☐ **X** UBC, UPC, UMC, NEC
  - (ii) Strong seismic ground shaking? ☐ ☐ ☐ **X** “
  - (iii) Seismic-related ground failure, including liquefaction? ☐ ☐ ☐ **X** “
  - (iv) Landslides? ☐ ☐ ☐ **X** ”
- b) Result in substantial soil erosion or the loss of topsoil? ☐ ☐ ☐ **X** ”
- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? ☐ ☐ ☐ **X** ”
- d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property? ☐ ☐ ☐ **X** ”
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? ☐ ☐ ☐ **X** ”

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**XII. UTILITIES AND SERVICE SYSTEMS.** Would the project:

- |   |                          |                          |                          |          |   |
|---|--------------------------|--------------------------|--------------------------|----------|---|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 20, 24, 87, 88, 89, 90, 111, 112     |
| b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 20, 24, 25, 87, 88, 89, 111, 112     |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 20, 24, 25, 87, 88, 89, 111, 112     |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 20, 24, 25, 87, 88, 89, 111, 112     |
| e) Result in a determination by the wastewater treatment provider that services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 20, 24, 25, 87, 88, 89, 90, 111, 112 |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 22, 90, 111, 112                     |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 22, 90, 111, 112                     |

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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**XIII. TRANSPORTATION/TRAFFIC.** Would the project:

- |  |                          |                          |                          |          |  |
|--|--------------------------|--------------------------|--------------------------|----------|--|
| a) Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 12, 71, 75, 76, 77, 111, 112          |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 71, 75, 76, 77, 80, 84, 111, 112,     |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 111, 112, 113                         |
| d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 12, 71, 75, 76, 77, 80, 84, 111, 112, |
| e) Result in inadequate emergency access?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 111, 112                              |
| f) Result in inadequate parking capacity?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 37, 111, 112                          |



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g) Conflict with adopted policies or programs supporting  
alternative transportation (e.g., bus turnouts, bicycle racks)?

☐☐☐

**X**

2, 12,  
81, 111,  
112

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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporate d	Less Than Significant Impact	No Impact	Source
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**XIV. HAZARDS AND HAZARDOUS MATERIALS.** Would the project?

- |  |                          |                          |                          |                          |  |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--|
| a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?   | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b>                 | <input type="checkbox"/> | Discus-<br>sion at<br>end of<br>check-list |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?   | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b>                 | <input type="checkbox"/> | Discus-<br>sion at<br>end of<br>check-list |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b>                 | <u>UFC/UB<br/>C/SVMC</u>                   |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b>                 | <u>UFC/UB<br/>C/SVMC</u>                   |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b>                 | <u>UFC/UB<br/>C/SVMC</u>                   |
| f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b>                 | <u>UFC/UB<br/>C/SVMC</u>                   |
| g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b>                 | <u>UFC/UB<br/>C/SVMC</u>                   |

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<b>Issues and Supporting Information</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant With Mitigation Incorporate d</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>	<b>Source</b>
--	---	--	---	----------------------	---------------

**XV. RECREATION**

- |   |                          |                          |                          |          |                 |
|---|--------------------------|--------------------------|--------------------------|----------|-----------------|
| a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 18, 111, 112 |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 2, 18, 111, 112 |

<b>XVI. AGRICULTURE RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	94
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- |  |                          |                          |                          |          |    |
|--|--------------------------|--------------------------|--------------------------|----------|----|
| a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 94 |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>X</b> | 94 |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?  |                          |                          |                          |          |    |

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<b>XVII. HYDROLOGY AND WATER QUALITY</b> Would the project:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 24, 25, 111, 112
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 24, 25, 111, 112
b) Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 24, 25, 111, 112
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 24, 25, 111, 112
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 24, 25, 111, 112
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 24, 25, 111, 112
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 12, 19, 24, 111, 112
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 19, 24, 111, 112
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>	2, 19, 24, 25, 111, 112

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- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? ☐ ☐ ☐ **X** 2, 19, 24, 25, 111, 112
- j) Inundation by seiche, tsunami, or mudflow?

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***DISCUSSION OF IMPACTS THAT ARE LESS THAN SIGNIFICANT***

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**1.& 2 . HAZARDS AND HAZARDOUS MATERIALS.**

The building located at 285 North Wolfe Road is currently has two tenant spaces. The subject tenant space is vacant. A software development company occupies the adjacent tenant space. This use is almost exclusively office use and has no manufacturing or hazardous uses associated with it.

The Industrial Zoning District allows many types of industrial uses. Historically a couple of semiconductor uses were previously located in the area. Currently there are no uses within the area that operate with significant hazardous materials that would conflict with the proposed use. The proposed Community Center use is proposed for three years. During the three-year period of Community Center use the surrounding businesses will be limited to certain types of industrial uses.

**Completed By: Erin Walters, Associate Planner**

**Date: November 11, 2003**

## **ENVIRONMENTAL CHECKLIST REFERENCE LIST**

**Note:** All references are the most recent version as of the date the initial Study was prepared:

1. **City of Sunnyvale General Plan:**
2. Map
3. Air Quality Sub-Element
4. Community Design Sub-Element
5. Community Participation Sub-Element
6. Cultural Arts Sub-Element
7. Executive Summary
8. Fire Services Sub-Element
9. Fiscal Sub-Element
10. Heritage Preservation Sub-Element
11. Housing & Community Revitalization Sub-Element
12. Land Use & Transportation Sub-Element
13. Law Enforcement Sub-Element
14. Legislative Management Sub-Element
15. Library Sub-Element
16. Noise Sub-Element
17. Open Space Sub-Element.
18. Recreation Sub-Element
19. Safety & Seismic Safety Sub-Element
20. Sanitary Sewer System Sub-Element
21. Socio-Economic Sub-Element
22. Solid Waste Management Sub-Element
23. Support Services Sub-Element
24. Surface Run-off Sub-Element
25. Water Resources Sub-Element
  
26. **City of Sunnyvale Municipal Code:**
27. Chapter 10
28. Zoning Map
29. Chapter 19.42. Operating Standards

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

- 30. Chapter 19.28. Downtown Specific Plan District
- 31. Chapter 19.18. Residential Zoning Districts
- 32. Chapter 19.20. Commercial Zoning Districts
- 33. Chapter 19.22. Industrial Zoning Districts
- 34. Chapter 19.24. Office Zoning Districts
- 35. Chapter 19.26. Combining Zoning Districts
- 36. Chapter 19.28. Downtown Specific Plan
- 37. Chapter 19.46. Off-Street Parking & Loading
- 38. Chapter 19.56. Solar Access
- 39. Chapter 19.66. Affordable Housing
- 40. Chapter 19.72. Conversion of Mobile Home Parks to Other Uses
- 41. Chapter 19.94. Tree Preservation
- 42. Chapter 19.96. Heritage Preservation

### **Specific Plans**

- 43. El Camino Real Precise Plan
- 44. Lockheed Site Master Use Permit
- 45. Moffett Field Comprehensive Use Plan
- 46. 101 & Lawrence Site Specific Plan
- 47. Southern Pacific Corridor Plan

### **Environmental Impact Reports**

- 48. Futures Study Environmental Impact Report



## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

- 49. Lockheed Site Master Use Permit Environmental Impact Report
- 50. Tasman Corridor LRT Environmental Impact Study (supplemental)
- 51. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of Santa Clara)
- 52. Downtown Development Program Environmental Impact Report
- 53. Caribbean-Moffett Park Environmental Impact Report
- 54. Southern Pacific Corridor Plan Environmental Impact Report

### Maps

- 55. City of Sunnyvale Aerial Maps
- 56. Flood Insurance Rate Maps (FEMA)
- 57. Santa Clara County Assessors Parcel
- 58. Utility Maps (50 scale)

### Lists/Inventories

- 59. Sunnyvale Cultural Resources Inventory List
- 60. Heritage Landmark Designation List
- 61. Santa Clara County Heritage Resource Inventory
- 62. Hazardous Waste & Substances Sites List (State of California)
- 63. List of Known Contaminants in Sunnyvale

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

### Legislation/Acts/Bills/Codes

- 64. Subdivision Map Act
- 65. Uniform Fire Code, including amendments per SMC adoption
- 66. National Fire Code (National Fire Protection Association)
- 67. Title 19 California Administrative Code
- 68. California Assembly Bill 2185/2187 (Waters Bill)
- 69. California Assembly Bill 3777 (La Follette Bill)
- 70. Superfund Amendments & Reauthorization Act (SARA) Title III

### Transportation

- 71. California Department of Transportation Highway Design Manual
- 72. California Department of Transportation Traffic Manual
- 73. California Department of Transportation Standard Plan
- 74. California Department of Transportation Standard Specification
- 75. Institute of Transportation Engineers - Trip Generation
- 76. Institute of Transportation Engineers Transportation and Traffic Engineering Handbook
- 77. U.S. Dept. of Transportation Federal Highway Admin. Manual on Uniform Traffic Control Devices for Street and

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

### Highways

- 78. California Vehicle Code
- 79. Traffic Engineering Theory & Practice by L. J. Pegnataro
- 80. Santa Clara County Congestion Management Program and Technical Guidelines
- 81. Santa Clara County Transportation Agency Short Range Transit Plan
- 82. Santa Clara County Transportation Plan
- 83. Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- 84. Santa Clara County Sub-Regional Deficiency Plan
- 85. Bicycle Plan

### Public Works

- 86. Standard Specifications and Details of the Department of Public Works
- 87. Storm Drain Master Plan
- 88. Sanitary Sewer Master Plan
- 89. Water Master Plan
- 90. Solid Waste Management Plan of Santa Clara County
- 91. Geotechnical Investigation Reports
- 92. Engineering Division Project Files
- 93. Subdivision and Parcel Map Files

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

### Miscellaneous

- 94. Field Inspection
- 95. Environmental Information Form
- 96. Annual Summary of Containment Excesses (BAAQMD)
- 97. Current Air Quality Data
- 98. Chemical Emergency Preparedness Program (EPA) Interim Document in 1985?)
- 99. Association of Bay Area Governments (ABAG) Population Projections
- 100. Bay Area Clean Air Plan
- 101. City-wide Design Guidelines
- 102. Industrial Design Guidelines

### Building Safety

- 103. Uniform Building Code, Volume 1, (Including the California Building Code, Volume 1)
- 104. Uniform Building Code, Volume 2, (Including the California Building Code, Volume 2)
- 105. Uniform Plumbing Code, (Including the California Plumbing Code)
- 106. Uniform Mechanical Code, (Including the California Mechanical Code)
- 107. National Electrical Code (Including California Electrical Code)
- 108. Title 16 of the Sunnyvale Municipal Code

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

### **Additional References**

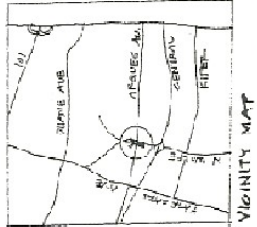
- 109. USFWS/CA Dept. F&G Special Status Lists
- 110. Project Traffic Impact Analysis
- 111. Project Description
- 112. Project Development Plans
- 113. Santa Clara County Airport Land Use Plan
- 114. Federal Aviation Administration



ENVIRONMENTAL CHECKLIST REFERENCE LIST

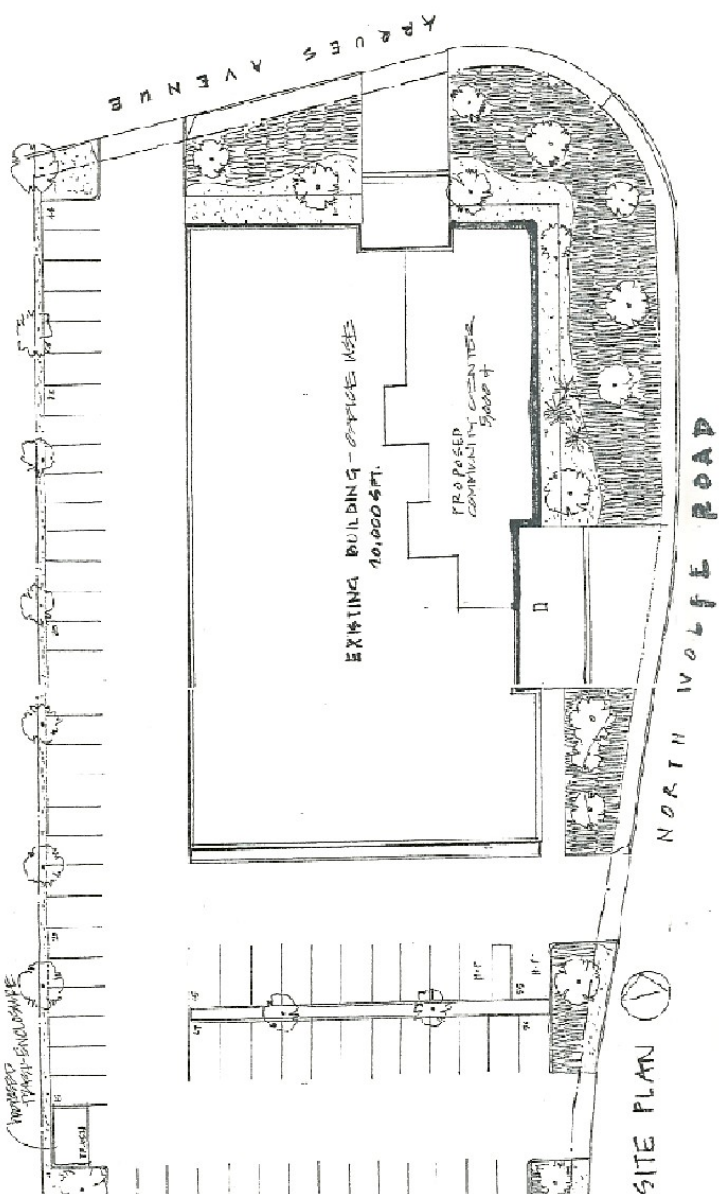
Note: All references are the most recent version as of the date the initial Study was prepared:

SITE AREA	58,400 SF
BLD. AREA	20,000 SF
PARKING	67 SPACES
PROPOSED I.C.C. -	



ATTACHMENT 4  
Page 1 of 2

PROPOSED  
INDIA COMMUNITY CENTER  
SATELLITE CENTER AT  
205 WOLFE ROAD  
SUNNYVALE, CA



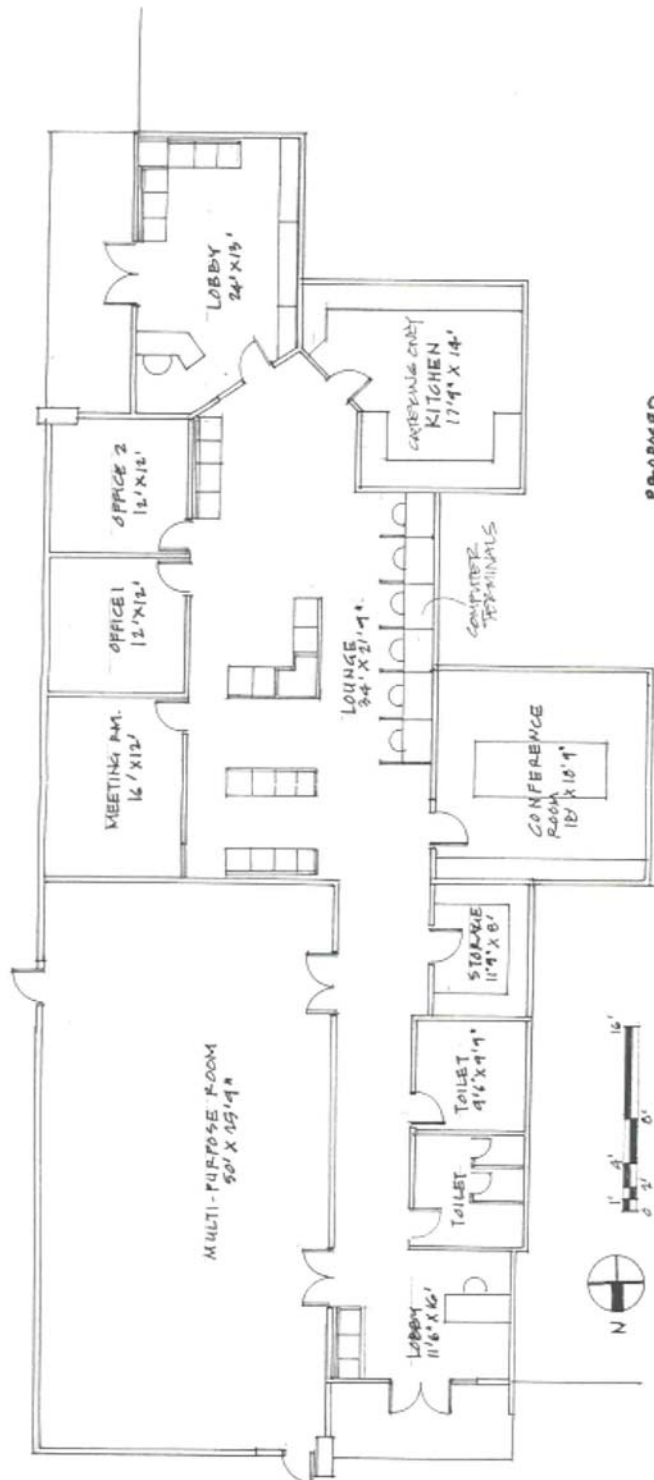
## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:



ENVIRONMENTAL CHECKLIST REFERENCE LIST

Note: All references are the most recent version as of the date the initial Study was prepared:



PROPOSED  
INDIA COMMUNITY CENTER  
SATELLITE CENTER AT  
685 WOLFE ROAD  
5,000 + TENANT SPACE

PROPOSED  
FLOOR PLAN WITH USES

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

**Report 2003-0850 Attachment 5**

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:



India Community Center

*India Community Center (ICC) is a non-profit organization offering programs and services for all ages.  
ICC is a non-religious, non-regional and non-political organization*

A non-profit corporation 501 (c) (3) tax-exempt ID# 52-2351119  
3065 Democracy Way, Santa Clara, CA 95054

Tel: (408) 748-1771 Fax: (408) 748-1311

ATTACHMENT **5**  
Page **1** of **5**

November 3, 2003

**To:** Members of the Planning Commission  
City of Sunnyvale,  
Sunnyvale

**From:** The Board of Directors and Volunteers of India Community Center

**Re:** Use Permit and Parking Variance for a Satellite Center of India Community Center  
at 285 Wolfe Road, Sunnyvale

The India Community Center (ICC) is pleased to submit to the City of Sunnyvale its plan for establishing a Satellite Center at 285 Wolfe Road in Sunnyvale. We are excited about partnering with the City to provide a community center that both the City and ICC can be proud of.

**ICC's Mission:** The primary goal of ICC is to promote Indian culture and values by providing social, cultural, recreational and community programs, thereby uniting the Indian community and raising awareness about Indian culture in the local community. ICC's core values include unity within the Indian community, interaction with our local communities, and participation from the various parts of our community, across regional, religious and demographic lines.

The 2000 Census revealed that of the 1.67 million Indians in the U.S., almost 20% reside in California. The San Francisco Bay Area now has over 144,000 Indians. Sunnyvale City is the hub of Silicon Valley and most of the Indian professionals engaged in the computer-related industry live in Sunnyvale and surrounding cities.

The idea of ICC was started to address the following issues:

- Kids within the Indo-American community face great challenges in maintaining their Indian heritage, speaking an Indian language or getting involved with Indian issues.
- Our families don't have a place where they can go where the whole family may engage in Indian cultural and recreational activities and festival celebrations.
- The Indo-American seniors, especially those who have immigrated in the U.S., have a difficult time forming a community for themselves and utilizing their extensive skills and experience in productive endeavors. This is exacerbated by a dependence on their families for finances and mobility.

**Contd. Page 2**

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

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India Community Center

ATTACHMENT 5  
Page 2 of 5

India Community Center (ICC) seeks to address this need. ICC is a non-profit, non-regional, non-religious and non-political organization. ICC is comprised of the Board of Directors with over 150 volunteers. Local community members are encouraged to participate in this project through donations and volunteer efforts. In 2002, ICC leased a 20,300 square foot building at 555 Los Coches Street in Milpitas and has been providing diverse services and programs for all age groups in the community. The latest Activity Guide of the Center (see enclosed) gives a brief overview of its mission, goals and activities of the Center. Based on the success of the Milpitas center, ICC is now proposing to expand its services to residents of the South Bay.

ICC centered its "search ring" for an appropriate satellite center based on the following factors:

- *Location of the center either in Sunnyvale or in close proximity to Sunnyvale based on the presence of a substantial Indo-American community.*  
As per the latest Census report, the Indian population in the City of Sunnyvale constitutes 11% of the total population of the City, which is the second highest in the entire California State. This demographic composition of Indo-Americans in Sunnyvale underscores the need for providing a center for the immigrant senior population and other members of the community. Geographically, Sunnyvale city also happens to be a central location for the Indian community population living in the surrounding cities of Santa Clara, Cupertino, Mountain View, Palo Alto, Los Gatos and Los Altos.
- *Proximity to public transit facilities.*  
This Center is predominantly geared towards the senior community. Since a lot of the Indo-American seniors do not drive and rely heavily on para-transit and bus facilities, it was important to select a location where transit ridership was convenient.

After an extensive search, ICC is hoping to be able to occupy approximately 5,000 square feet of a 20,000 square foot building located at 285 Wolfe Road.

### Use Permit Application

The current zoning of industrial park, allows for a community center with the approval of a use permit. **ICC is seeking a "temporary" use permit for three years.** The proposed use of the space and parking requirements are discussed below.

**Use:** ICC plans to offer the following programs and services at the Sunnyvale location:

- Senior services such as Yoga, aerobics, meditation and stress relieving exercises, Immigration guidance, creative writing, arts and crafts, guidance and referral in regard to Medi-Cal, Medi-Care, computer classes and senior nutrition.
- Seminars and Workshops for youth and kids in the areas of languages, music, dance, yoga, aerobics, art & culture (see attached tentative schedule). **Cold.**

**Page 3**

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

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India Community Center

ATTACHMENT **5**  
Page **3** of **5**

The proposed 5,000 square foot space will include a multi-purpose room and several meeting rooms and offices for staff. There are two lobbies – one that is closest to the multi-purpose room and another one that leads to a lounge area. The lounge area will have computer stations and include informal seating for conversations and reading (see interior layout drawing). At this time, it is not anticipated that there will be more than 20 to 30 people at the Center during "office hours" and a maximum of 40 people after office hours during the week. On the weekends, there could be up to 60 people at the Center.

The multi-purpose room will be used for Yoga, aerobics and dance classes as well as senior and other community meetings. Based on Milpitas experience, the classes usually have 20 to 25 students each. The senior and community meetings could be as high as 50 to 60. The senior meetings (most of whom take public transport) are usually around mid-day during the week. The other meetings are on weekends or at night.

**Hours of Operation:** The Center will be open for seniors from 10am to 2 pm Monday through Friday. It will be closed between 2 pm until 5 pm. After 5 pm, the Center will offer classes such as yoga and aerobics and remain open till 9 pm. On the weekends, the Center will be open between 9 am and 9 pm on Saturdays and 9 am to 6 pm on Sundays. Attached is a matrix indicating the schedule and potential number of occupants at the Center.

**Parking:** The site has a total of 67 parking spaces. The total number of people at the site will not normally exceed 60 at one time as people choose different timings for different programs scheduled.

### **Use Permit Justification:**

*The Municipal Code states that at least one of the following two justifications must be met before granting the Use Permit. Illustrating how your project meets at least one of the below criteria will assist the City in reviewing your proposal.*

*Use this sheet or a separate sheet of paper to show how the proposed use:*

*1) The project attains the objectives and purposes of the General Plan of the City of Sunnyvale.*

Following are some of the salient features of the Sunnyvale City's General Plan:

- |               |   |
|---------------|---|
| 5.1F.1c       | Develop program alternatives to address the unique needs of special populations, such as youth, seniors, the disabled, welfare recipients and others. |
| 5.1F.1b       | Support strong private sector involvement (through the Private Industry Council) in developing local program goals and objectives.                    |
| 5.1F.1e       | Cooperate to the maximum extent feasible with other Federal, State and local agencies providing similar services or serving common clients.           |
| Policy 5.1A.6 | Encourage neighborhood patterns that encourage social interaction and avoid isolation.  |

**Cold page 4**



## ENVIRONMENTAL CHECKLIST REFERENCE LIST

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India Community Center

ATTACHMENT **5**  
Page **4** of **5**

- 2.5A.3a Encourage diversity and develop programs to emphasize the unique features of special districts and neighborhoods.

ICC's mission is to raise awareness of Indian culture in the local community by providing social, cultural, recreational and community programs while strengthening cultural within the Indian community. The Indian community constituting 11% of the total population in Sunnyvale is the second highest in the entire State. This demographic aspect justifies the need for providing critical health-related and human care services, which are culturally sensitive and linguistically appropriate, to the underserved and needy Indian community members in the Sunnyvale and surrounding Cities. This specific goal of ICC meets Objective 5.1F.1c of City's General Plan, which states "Develop program alternatives to address the unique needs of special populations, such as youth, seniors, the disabled, welfare recipients and others".

In addition, ICC meets objective 2.5A.3a of General Plan, which mentions "Encourage diversity and develop programs to emphasize the unique features of special districts and neighborhoods".

The Center's role also satisfies City's General Plan Policy 5.1A.6, which states "Encourage neighborhood patterns that promote social interaction and avoid isolation".

The proposed Satellite Center will mainly provide critical services to immigrant seniors with services like stretch & flex exercises, yoga, meditation and stress relieving exercises. The Center will organize seminars and workshops especially for the benefit of senior community in general, with the help of local Indian volunteer medical practitioners, besides offering advice on other services like Medi-Care, Medi-Cal, ESL, immigration guidance, creative writing, arts & crafts, computer learning classes so as to utilize the extensive skills and experience of senior citizens in productive endeavors. The Center also provides County Senior Nutrition lunches (Vegetarian food Catered by a licensed Caterer) to the seniors on three days a week. The Center will coordinate with similar services offered by other non-profit agencies in the City and also those offered by the City and County Agencies.

- 2) The above mentioned services will only help enrich the lives of neighborhood community members and in building community. (In no way, these will prove materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the zoning district.)

### Variance for Parking Requirement:

In conjunction with approval of the Use Permit, ICC is also seeking a variance on the on-site parking requirements. The site currently has 67 parking spaces (including 3 handicapped spaces). Of these spaces, the current tenant on the adjacent space – 15,000 square feet of the 20,000 square foot building – requires 30 spaces. This leaves 37 spaces for use by ICC during office hours. 67 on-site parking spaces are available for use by ICC during off peak hours and weekends. In addition, ICC is working with adjacent property owners for use of additional parking spaces during evenings and weekends.

Cold. Page 5

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

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India Community Center

ATTACHMENT 5  
Page 5 of 5

As stated earlier, the ICC facility in Sunnyvale is designed to be used primarily by seniors during the week and is open to others after business hours and on weekends. The Indo-American seniors, for the most part, rely on public transportation such as the VTA and para-transit systems. This specific location was chosen because of its central location and proximity to bus stops. Additionally, all of the events have been scheduled to be after office hours and weekends (see schedule). During working hours, ICC will have 2 employees on site. In addition, seniors rarely use more than 5 or 6 parking spots. On some week day evenings, we can expect up to 20 cars based on Yoga, Aerobic and Dance class loads. On weekends we expect 20 to 30 cars at any given time. Given the use patterns of the larger ICC facility in Milpitas, ICC believes that the number of spaces on site is sufficient for its use during office hours. Further, ICC is seeking a "temporary" use permit for three years. Based on these factors, we believe that the Planning Commission can make the findings required to grant a variance.

It is the desire of the Board of Directors and volunteers of the ICC to introduce programs and a facility to the City of Sunnyvale that we will all be proud of. Thank you for your consideration of our request for use permit and parking variance application.

\*\*\*\*\*

*Pradeep Toshi*  
Director (Senior Services)  
11/3/03

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

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### Report 2003-0850 Attachment 6

285 NORTH WOLFE ROAD

India Community Center - Satellite Center in Sunnyvale - SCHEDULE OF EVENTS

	Mon	Tues	Wed	Thu	Fri	Sat	Sun
9:00 - 10:00 AM	Closed	Closed	Closed	Closed	Closed	Yoga 20-25	Yoga 20-25
10:00 - 11:00	Seniors Yoga 20-25			Seniors Yoga 20-25	Seniors Yoga 20-25		
11:00 - 1:00	Senior Roundtable 20-25		Senior Roundtable 30-40		Senior Roundtable 25	Senior Cultural Session	Community & Cultural Talks/Presentations 40-60
1:00 - 2:00 PM	Senior Nutrition Lunch <del>20-25</del>		Senior Nutrition Lunch <del>20-40</del>	Senior Nutrition Lunch <del>20-25</del>	Senior Nutrition Lunch <del>20-25</del>	Senior Cultural Session Lunch 40-50	
2:00 - 3:00	Closed	Closed	Closed	Closed	Closed		
3:00 - 5:00	Closed	Closed	Closed	Closed	Closed	Dance/Music/Language Instruction 40	Dance/Music/Language Instruction 40
5:00 - 6:00	Yoga 20-25	Yoga 21-25	Yoga 22-25	Yoga 23-25	Yoga 24-25		
6:00 - 7:00	Dance/Music Instruction 15-20	Dance/Music Instruction 16-20	Dance/Music Instruction 17-20	Dance/Music Instruction 18-20	Dance/Music Instruction 19-20	Cultural Talks/Presentations	Closed
7:00 - 8:00	Aerobics 15-20	Aerobics 16-20	Aerobics 17-20	Aerobics 18-20	Aerobics 19-20	Community & Cultural Talks/Presentations	Closed
8:00 - 9:00	Open	Open	Open	Open	Open	Community & Cultural Talks/Presentations 40-60	Closed

Notes:

Total Staff on site will not exceed 2

All Community and Cultural Instructions and Talks, Yoga, Aerobics, Dance will be in the MPR

ATTACHMENT 6  
Page 1 of 1

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

**Report 2003-0850 Attachment 7**

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:



India Community Center

3065 Democracy Way, Santa Clara, CA 95054  
Tel: 408-748-1771 Fax: 408-748-1311

ATTACHMENT **7**  
Page **1** of **3**

November 4, 2003

President and CEO  
Nanno Technology Corporation  
285 Wolfe Road, Sunnyvale, CA 94086

Re: Parking spaces

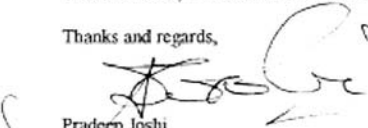
Dear Sir,

We are proposing to set up a small Satellite Center ( Branch Office ) at 285 Wolfe Road, Sunnyvale, CA 94086 ( adjoining to your Office ) for which we have applied for a use permit, to the City of Sunnyvale.

We have mostly 45-50 senior clients many of whom do not know driving and use public transport. The Landlord has set aside some 20 parking spaces for our Center. However, the City Municipal Code requires 65 additional parking spaces for our Center, in the evenings and weekends. They have asked us to get a formal permission from the adjoining tenants to use their parking spaces when they do not need most of them after their office hours and on weekends.

We would highly appreciate if you can help us in this matter and allow us to use your parking spaces in the evenings and on week ends, when your office is closed. **We will take every care to insure that no inconvenience, whatsoever is caused to your employees, on this account.**

Thanks and regards,

  
Pradeep Joshi  
Director, Senior Services

CONSENT

We would permit your Center to make use of our empty parking spaces ( 50 ) in the evenings and week ends when our office is closed.



NANNO MEASUREMENTS



## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

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India Community Center

3065 Democracy Way, Santa Clara, CA 95054  
Tel: 408-748-1771 Fax: 408-748-1311

ATTACHMENT **7**  
Page **2** of **3**

November 3, 2003

President and CEO  
Nanno Technology Corporation  
285 Wolfe Road, Sunnyvale, CA 94086

*MAS - Materials Analytical Services, Suite # 101*

Re: Parking spaces

Dear Sir,

We are proposing to establish our Satellite Center ( Branch Office ) at 285 Wolfe Road, Sunnyvale, CA 94086 for which we have applied for a use permit, to the City of Sunnyvale.

Our services will be mostly used by our senior clients most of whom do not drive and use public transport. The Landlord has set aside some 20 parking spaces for our Center. However, the City has advised us to get permission from the adjoining tenant to use their parking spaces in the evenings after office hours as our Center is required to have at least 35 more parking spaces.

We would appreciate if you can help us in this matter and allow us to use parking spaces allocated to you only in the evenings and on Week ends when your office is closed. We will take every care to insure that there is no inconvenience, whatsoever caused to your employees.

Thanks and regards,

*[Signature]*  
Pradeep Joshi  
Director, Senior Services

CONSENT

*We Permit your center to make use of our empty spaces  
in the evenings & on weekends when our office is closed*

*[Signature]*  
Materials Analytical Services

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

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INDIA COMMUNITY CENTER SYSTEMS

FAX NO. 408-748-1311

P. 01/01

**icc**

India Community Center

3065 Democracy Way, Santa Clara, CA 95054  
Tel: 408-748-1771 Fax: 408-748-1311

ATTACHMENT **7**  
Page **3** of **3**

November 3, 2003

President and CEO  
Accurel Systems International Corporation  
785 Lucerne Drive, Sunnyvale, CA 94086

Re: Parking spaces


Dear Sir,

We are proposing to set up a small Satellite Center ( Branch Office ) at 285 Wolfe Road, Sunnyvale, CA 94086 ( adjacent to your Building ) for which we have applied for a use permit, to the City of Sunnyvale.

We have mostly 45-50 senior clients many of whom do not know driving and use public transport. The Landlord has set aside some 20 parking spaces for our Center. However, the City Municipal Code requires 65 additional parking spaces for our Center, in the evenings and weekends. They have asked us to get a formal permission from the adjoining tenants to use their parking spaces when they do not need most of them after their office hours and on weekends.

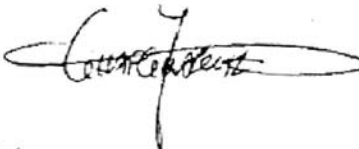
We would highly appreciate if you can help us in this matter and allow us to use your parking spaces in the evenings and on week ends, when your office is closed. We will take every care to insure that no inconvenience, whatsoever is caused to your employees, on this account.

Thanks and regards,

  
Pradeep Joshi  
Director, Senior Services

We would permit your Center to make use of our empty parking spaces ( 65 ) in the evenings and week ends when our office is closed.

on the Condition that our employees get precedent for the parking on the weekend or after hours if they need to.



3065 Democracy Way  
Santa Clara, CA 95054  
Ph: (408) 748-1771  
Fax: (408) 748-1311  
www.indiaCC.org

*Gateway to India*

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

CITY OF SUNNYVALE  
P.O. BOX 3707  
SUNNYVALE, CA 94088-3707  
ATTN: REAL PROPERTY MANAGER

**DRAFT PARKING EASEMENT AGREEMENT**

This PARKING EASEMENT AGREEMENT is made as of \_\_\_\_\_, by and  
between \_\_\_\_\_ (“Grantor”), and  
\_\_\_\_\_ (“Grantee”).

**RECITALS**

A. Grantee is the owner of a [CHECK ONE: ☐ fee interest, ☐ leasehold  
interest] in that certain real property generally located at \_\_\_\_\_  
\_\_\_\_\_, Sunnyvale, California, and more particularly described in Attachment No.  
1 attached hereto (the “Grantee Property”).

B. On \_\_\_\_\_, \_\_\_\_\_ the City of Sunnyvale approved  
Grantee’s application for [CHECK ONE: ☐ construction of a new building, ☐  
establishment of a new use, ☐ enlargement of an existing building, ☐ change in  
an existing use] on the Grantee Property.

C. As a condition of approval of Grantee’s application and in accordance  
with the requirements of Chapter 19.46 of the City of Sunnyvale Municipal Code,  
Grantee is required to provide \_\_\_\_\_ (\_\_\_\_\_) off-street parking spaces for  
use by its customers, employees, agents and invitees.

ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

D. Grantee desires to satisfy its off-street parking obligations by utilizing parking spaces located on that certain real property owned by Grantor, generally located at \_\_\_\_\_, Sunnyvale, California, and more particularly described in Attachment No. 2 attached hereto (the “Grantor Property”).

E. Grantor desires to grant to Grantee an irrevocable, exclusive easement appurtenant to the Grantee Property for vehicular parking purposes over and across that certain portion of the Grantor Property depicted on Attachment No. 3 attached hereto on the terms and conditions described below.

NOW THEREFORE, the parties hereby agree as follows:

**AGREEMENT**

1. Grant of Parking Easement. Grantor hereby grants to Grantee, for use by Grantee and its employees, agents, customers and invitees, an irrevocable, exclusive easement appurtenant to the Grantee Property for vehicular parking over those portions of the Grantor Property (the “Parking Easement Area”) depicted on Attachment No. 3 attached hereto, including a nonexclusive right of pedestrian and vehicular ingress and egress across, over and through all entrances, exits, trafficways and pathways which are reasonably necessary for utilization of the parking rights granted by Grantor to Grantee.

2. Consideration for Grant of Easement. In consideration of Grantor's grant of the parking easement to Grantee, Grantee shall pay to Grantor \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

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3. Maintenance and Repair. Grantor shall, at its expense, maintain the Parking Easement Area in a first-class manner. Grantor's maintenance obligations shall include but not be limited to: (i) maintenance of all sidewalks, paths and other paved areas in clean and weed-free condition; (ii) maintenance of all such areas clear of dirt, mud, trash, debris or other matter which is unsafe or unsightly; and (iii) removal of all trash, litter and other debris from improvements and landscaping.

4. Indemnification. Grantee shall indemnify and defend Grantor and its officers, directors, partners, members, employees, agents and representatives (collectively, "Indemnitees") free and harmless from all liability for physical injury to persons or property occurring as a result of or otherwise arising from the use of the Parking Easement Area by Grantee or its employees, agents, customers or invitees pursuant to this Agreement other than liability attributable to the negligence or willful misconduct of any Indemnitees. The foregoing obligation to defend, indemnify and hold harmless shall survive any termination of this Agreement.

5. Insurance. Grantee shall procure and maintain during the term of this Agreement, at its sole cost and expense, a policy or policies of either commercial or comprehensive general liability insurance or equivalent coverage reasonably acceptable to Grantor relating to the use of the Parking Easement Area by Grantee and its employees, agents, customers and invitees.

All such policies shall be written to apply to all bodily injury, property damage, personal injury and other covered loss, however occasioned, occurring during the policy term, and shall be endorsed to add Grantor and its officers, directors, partners, members, employees, agents and representatives as additional insureds, to provide that such coverage shall be primary and non-contributing and that any insurance maintained by Grantor shall be excess insurance only. The

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

insurance shall provide for severability of interests; shall provide that an act or omission of one of the named or additional insureds shall not reduce or avoid coverage to the other named or additional insureds; shall afford coverage for all claims based on acts, omissions, injury and damage, which claims occurred or arose (or the onset of which occurred or arose) in whole or in part during the policy period; and shall contain an endorsement requiring 30 days' written notice from the insurance company to Grantor at the address of the Grantor Property before cancellation or change in the coverage, scope, or amount of any policy.

The insurance required to be carried under this paragraph shall be written by companies rated A X or better in Bests Insurance Guide and authorized to do business in California. Grantee shall deliver to Grantor on or before any entry upon the Parking Easement Area, a certified copy of the insurance policy and evidence showing that all premiums have been paid for the full policy period.

6. Third Party Beneficiary. The City of Sunnyvale shall be deemed a third party beneficiary of this Agreement and shall have the right, but not the obligation, to bring an action at law or in equity to enforce the terms of this Agreement.

7. Termination or Amendment. This Agreement may be amended or terminated only by written agreement and only with the prior written consent of the City of Sunnyvale.

8. Independent Legal Advice. Grantor and Grantee each acknowledges that it has obtained independent legal advice in connection with the drafting of this Agreement, or has voluntarily elected not to seek such independent legal advice, and neither Grantor nor Grantee is relying upon the City of Sunnyvale or its members, officials or employees to protect its rights or interests in connection with this Agreement.



ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

9. Non-Liability of Officials and Employees of the City; General Release.  
Neither the City nor any member, official or employee of the City shall be liable to Grantor or Grantee, or to any successor in interest of Grantor or Grantee, for any amount which may become due to Grantor or Grantee in connection with this Agreement. Grantor and Grantee each hereby waives and releases any claim it may have against the City and/or the members, officials or employees of the City with respect to any amount which may become due to Grantor or its successors, or Grantee or its successors, in connection with this Agreement. Grantor and Grantee each makes such release with full knowledge of Civil Code Section 1542 and hereby waives any and all rights thereunder to the extent of this release, if such Section 1542 is applicable. Section 1542 of the Civil Code provides as follows:

“A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.”

\_\_\_\_\_  
Grantor Initials

\_\_\_\_\_  
Grantee Initials

10. Miscellaneous.

- a. This Agreement shall be recorded in the Official Records of Santa Clara County.
- b. The provisions of this Agreement shall not be deemed to constitute a dedication for public use nor to create any rights in the general public.

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

c. The grants contained in this Agreement shall be subject to all easements, rights-of-way and other matters of record or apparent which are not expressly subordinated hereto.

d. The headings of this Agreement are for purposes of reference only and shall not limit or define the meaning of the provisions of this Agreement.

e. The easements and obligations granted and imposed herein shall be binding on and inure to the benefit of the successors and assigns of Grantor and Grantee and are intended to bind and burden the Grantor Property and the Grantee Property as provided in California Civil Code Section 1468.

f. In the event any action is initiated to interpret or enforce this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees and costs.

g. If any one or more of the terms, provisions, promises, covenants or conditions of this Agreement shall be to any extent adjudged invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction each and all of the remaining terms, provisions, promises, covenants and conditions of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

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## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

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ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

IN WITNESS WHEREOF, the parties have entered into this Agreement as of the date first set forth above.

GRANTOR:

\_\_\_\_\_  
\_\_\_\_\_

By \_\_\_\_\_

Its \_\_\_\_\_

GRANTEE:

\_\_\_\_\_  
\_\_\_\_\_

By \_\_\_\_\_

Its \_\_\_\_\_

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF )

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

(Seal)

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF )

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

(Seal)

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

---

Notary Public

(Seal)

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

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Notary Public

(Seal)

OWNER CONSENT

[COMPLETE IF APPLICABLE]

\_\_\_\_\_, a \_\_\_\_\_ (“Owner”), as fee owner of the Grantee Property and lessor under the lease agreement between Owner and Grantee dated \_\_\_\_\_, \_\_, hereby consents to the terms of the foregoing Parking Easement Agreement and the recordation of said Parking Easement Agreement in the official records of Santa Clara County.

\_\_\_\_\_  
\_\_\_\_\_

By \_\_\_\_\_

Its \_\_\_\_\_

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF \_\_\_\_\_)

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_

## ENVIRONMENTAL CHECKLIST REFERENCE LIST

**Note:** All references are the most recent version as of the date the initial Study was prepared:

Notary Public

(Seal)



ATTACHMENT NO. 1

GRANTEE PROPERTY

[TO BE INSERTED]

ATTACHMENT NO. 2

GRANTOR PROPERTY

[TO BE INSERTED]

ATTACHMENT NO. 3

PARKING EASEMENT AREA

[TO BE INSERTED]